



Agenda Date: 8/28/00

Agenda Item: IV-D

STATE OF NEW JERSEY

Board of Public Utilities

Two Gateway Center

Newark, NJ 07102

CABLE TELEVISION

IN THE MATTER OF COMCAST CABLEVISION)
OF NORTHWEST, NEW JERSEY, INC.)
COMCAST CABLEVISION OF BURLINGTON)
COUNTY, INC. COMCAST CABLEVISION OF)
NEW JERSEY, INC.,COMCAST CABLEVISION)
OF GLOUCESTER COUNTY, INC.,COMCAST)
CABLEVISION OF JERSEY CITY, INC.)
COMCAST CABLEVISION OF MERCER)
COUNTY, INC. COMCAST CABLEVISION OF)
MONMOUTH COUNTY, INC)
LENFEST ATLANTIC, INC,(PLEASANTVILLE)
SYSTEM, LENFEST ATLANTIC, INC.)
(VINELAND SYSTEM) AND COMCAST)
CABLEVISION OF GARDEN STATE, L.P.)
REQUEST FOR WAIVER, NUNC PRO TUNC,)
OF THIRTY-DAY NOTICE PERIOD)

DECISION AND ORDER

DOCKET NO. CO00070505

Dennis C. Linken, Esq., Stryker Tams & Dill, LLP, Two Penn Plaza East,
Newark New Jersey 07105 for Comcast Cablevision and Lenfest Atlantic, Inc.
and Garden State Cablevision.

BY THE BOARD:

On July 31, August 4 & 14, 2000, Comcast Cablevision of Burlington County, Inc., Comcast Cablevision of Northwest New Jersey, Inc., Comcast Cablevision of New Jersey, Inc., Comcast Cablevision of Gloucester County, Inc., Comcast Cablevision of Jersey City, Inc., Comcast Cablevision of Mercer County, Inc., Comcast Cablevision of Monmouth County, Inc., Lenfest Atlantic, Inc. (Pleasantville System), Lenfest Atlantic, Inc. (Vineland System) and Comcast Cablevision of Garden State, L.P. (collectively the "Petitioner"), with offices located at 21 Beverly-Rancocas Road, Willingboro, NJ 08046, 155 Port Murray Road, Port Murray, NJ 07865, 800 Rahway Avenue, Union, NJ 07083, 304 South Broad Street, Woodbury, NJ 08096, 2121 Kennedy Boulevard, Jersey City, NJ 07305, 940 Prospect Street, Trenton, NJ 08618, 403 South Street, Eatontown, NJ, 07224, 1846 North West Boulevard, Vineland, NJ 08360 and 1250 Haddonfield-Berlin Road, Cherry Hill, NJ 08034 respectively, filed letters with the Board of Public Utilities (Board) requesting a waiver of the time requirements for providing notice of a proposed alteration in channel allocation regarding a change in the broadcasting of New Jersey Public Television, commonly known as "NJN" from a part time basis to a full time basis, in their respective cable systems, effective on August 21, 2000.

N.J.A.C. 14:18-3.17 states that each cable TV company shall notify its subscribers of an alteration in channel allocation at least 30 days prior to the effective date of a channel deletion, addition or rearrangement. However, N.J.A.C. 14:18-3.17(c)(3) permits relaxation of the notice period when deletions, addition or rearrangement are due to sudden changes of the channel by the programmer.

Due to the short notice of the proposed change provided by NJN, Petitioner's plans with respect to the deletion or movement of the programming shared with NJN were not finalized in time to prepare proper notice with respect to the change by NJN and to the ultimate actual placement of the affected programming in a timely manner.

Subscribers and municipal officials were notified of the proposed and ultimate actual changes by way of on screen messages, mail and legal notices August 2, 2000 through August 9, 2000.

Having reviewed this matter, the Board HEREBY FINDS that the waiver, of the notice period requested, is appropriate and is necessary for immediate compliance with State regulations. Therefore, the Board HEREBY APPROVES, nunc pro tunc, Petitioners' request for waiver of notification requirements as hereinabove described.

DATED: September 8, 2000

BOARD OF PUBLIC UTILITIES
BY:

(signed)

HERBERT H. TATE
PRESIDENT

ATTEST:

(signed)

CARMEN J. ARMENTI
COMMISSIONER

(signed)

(signed)

FRANCES L. SMITH
SECRETARY

FREDERICK F. BUTLER
COMMISSIONER